

1 BROWN, WEGNER & BERLINER LLP  
2 Matthew K. Wegner (SBN 223062)  
3 mwegner@bwb-lawyers.com  
4 2603 Main Street, Ste. 1050  
5 Irvine, CA 92614  
6 Telephone: (949) 705-0083  
7 Facsimile: (949) 794-4099

8  
9 BRIGGS AND MORGAN, P.A.  
10 Benjamin E. Gurstelle (*pro hac vice pending*)  
11 bgurstelle@briggs.com  
12 2200 IDS Center  
13 80 South Eighth Street  
14 Minneapolis, Minnesota 55402-2157  
15 Telephone: (612) 977-8400  
16 Facsimile: (612) 977-8650  
17  
18 Attorneys for Defendant  
19 Facets Fine Jewelry, LLC

20  
21  
22 UNITED STATES DISTRICT COURT  
23 CENTRAL DISTRICT OF CALIFORNIA

24  
25 Meritdiam, Inc., a California  
26 corporation,

27 Plaintiff,

28 v.

29 Facets Fine Jewelry, LLC, a Minnesota  
30 limited liability company d/b/a JB  
31 Hudson Jewelers; and Does 1 through  
32 20, INCLUSIVE

33 Defendant.

34 CV14-0422 MWF(CW)  
35 Case No.

36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
7710  
7711  
7712  
7713  
7714  
7715  
7716  
7717  
7718  
7719  
7720  
7721  
7722  
7723  
7724  
7725  
7726  
7727  
7728  
7729  
7730  
7731  
7732  
7733  
7734  
7735  
7736  
7737  
7738  
7739  
7740  
7741  
7742  
7743  
7744  
7745  
7746  
7747  
7748  
7749  
7750  
7751  
7752  
7753  
7754  
7755  
7756  
7757  
7758  
7759  
7760  
7761  
7762  
7763  
7764  
7765  
7766  
7767  
7768  
7769  
7770  
7771  
7772  
7773  
7774  
7775  
7776  
7777  
7778  
7779  
77710  
77711  
77712  
77713  
77714  
77715  
77716  
77717  
77718  
77719  
77720  
77721  
77722  
77723  
77724  
77725  
77726  
77727  
77728  
77729  
77730  
77731  
77732  
77733  
77734  
77735  
77736  
77737  
77738  
77739  
77740  
77741  
77742  
77743  
77744  
77745  
77746  
77747  
77748  
77749  
77750  
77751  
77752  
77753  
77754  
77755  
77756  
77757  
77758  
77759  
77760  
77761  
77762  
77763  
77764  
77765  
77766  
77767  
77768  
77769  
77770  
77771  
77772  
77773  
77774  
77775  
77776  
77777  
77778  
77779  
777710  
777711  
777712  
777713  
777714  
777715  
777716  
777717  
777718  
777719  
777720  
777721  
777722  
777723  
777724  
777725  
777726  
777727  
777728  
777729  
777730  
777731  
777732  
777733  
777734  
777735  
777736  
777737  
777738  
777739  
777740  
777741  
777742  
777743  
777744  
777745  
777746  
777747  
777748  
777749  
777750  
777751  
777752  
777753  
777754  
777755  
777756  
777757  
777758  
777759  
777760  
777761  
777762  
777763  
777764  
777765  
777766  
777767  
777768  
777769  
777770  
777771  
777772  
777773  
777774  
777775  
777776  
777777  
777778  
777779  
7777710  
7777711  
7777712  
7777713  
7777714  
7777715  
7777716  
7777717  
7777718  
7777719  
7777720  
7777721  
7777722  
7777723  
7777724  
7777725  
7777726  
7777727  
7777728  
7777729  
7777730  
7777731  
7777732  
7777733  
7777734  
7777735  
7777736  
7777737  
7777738  
7777739  
7777740  
7777741  
7777742  
7777743  
7777744  
7777745  
7777746  
7777747  
7777748  
7777749  
7777750  
7777751  
7777752  
7777753  
7777754  
7777755  
7777756  
7777757  
7777758  
7777759  
7777760  
7777761  
7777762  
7777763  
7777764  
7777765  
7777766  
7777767  
7777768  
7777769  
7777770  
7777771  
7777772  
7777773  
7777774  
7777775  
7777776  
7777777  
7777778  
7777779  
77777710  
77777711  
77777712  
77777713  
77777714  
77777715  
77777716  
77777717  
77777718  
77777719  
77777720  
77777721  
77777722  
77777723  
77777724  
77777725  
77777726  
77777727  
77777728  
77777729  
77777730  
77777731  
77777732  
77777733  
77777734  
77777735  
77777736  
77777737  
77777738  
77777739  
77777740  
77777741  
77777742  
77777743  
77777744  
77777745  
77777746  
77777747  
77777748  
77777749  
77777750  
77777751  
77777752  
77777753  
77777754  
77777755  
77777756  
77777757  
77777758  
77777759  
77777760  
77777761  
77777762  
77777763  
77777764  
77777765  
77777766  
77777767  
77777768  
77777769  
77777770  
77777771  
77777772  
77777773  
77777774  
77777775  
77777776  
77777777  
77777778  
77777779  
777777710  
777777711  
777777712  
777777713  
777777714  
777777715  
777777716  
777777717  
777777718  
777777719  
777777720  
777777721  
777777722  
777777723  
777777724  
777777725  
777777726  
777777727  
777777728  
777777729  
777777730  
777777731  
777777732  
777777733  
777777734  
777777735  
777777736  
777777737  
777777738  
777777739  
777777740  
777777741  
777777742  
777777743  
777777744  
777777745  
777777746  
777777747  
777777748  
777777749  
777777750  
777777751  
777777752  
777777753  
777777754  
777777755  
777777756  
777777757  
777777758  
777777759  
777777760  
777777761  
777777762  
777777763  
777777764  
777777765  
777777766  
777777767  
777777768  
777777769  
777777770  
777777771  
777777772  
777777773  
777777774  
777777775  
777777776  
777777777  
777777778  
777777779  
7777777710  
7777777711  
7777777712  
7777777713  
7777777714  
7777777715  
7777777716  
7777777717  
7777777718  
7777777719  
7777777720  
7777777721  
7777777722  
7777777723  
7777777724  
7777777725  
7777777726  
7777777727  
7777777728  
7777777729  
7777777730  
7777777731  
7777777732  
7777777733  
7777777734  
7777777735  
7777777736  
7777777737  
7777777738  
7777777739  
7777777740  
7777777741  
7777777742  
7777777743  
7777777744  
7777777745  
7777777746  
7777777747  
7777777748  
7777777749  
7777777750  
7777777751  
7777777752  
7777777753  
7777777754  
7777777755  
7777777756  
7777777757  
7777777758  
7777777759  
7777777760  
7777777761  
7777777762  
7777777763  
7777777764  
7777777765  
7777777766  
7777777767  
7777777768  
7777777769  
7777777770  
7777777771  
7777777772  
7777777773  
7777777774  
7777777775  
7777777776  
7777777777  
7777777778  
7777777779  
77777777710  
77777777711  
77777777712  
77777777713  
77777777714  
77777777715  
77777777716  
77777777717  
77777777718  
77777777719  
77777777720  
77777777721  
77777777722  
77777777723  
77777777724  
77777777725  
77777777726  
77777777727  
77777777728  
77777777729  
77777777730  
77777777731  
77777777732  
77777777733  
77777777734  
77777777735  
77777777736  
77777777737  
77777777738  
77777777739  
77777777740  
77777777741  
77777777742  
77777777743  
77777777744  
77777777745  
77777777746  
77777777747  
77777777748  
77777777749  
77777777750  
77777777751  
77777777752  
77777777753  
77777777754  
77777777755  
77777777756  
77777777757  
77777777758  
77777777759  
77777777760  
77777777761  
77777777762  
77777777763  
77777777764  
77777777765  
77777777766  
77777777767  
77777777768  
77777777769  
77777777770  
77777777771  
77777777772  
77777777773  
77777777774  
77777777775  
77777777776  
77777777777  
77777777778  
77777777779  
777777777710  
777777777711  
777777777712  
777777777713  
777777777714  
777777777715  
777777777716  
777777777717  
777777777718  
777777777719  
777777777720  
777777777721  
777777777722  
777777777723  
777777777724  
777777777725  
777777777726  
777777777727  
777777777728  
777777777729  
777777777730  
777777777731  
777777777732  
777777777733  
777777777734  
777777777735  
777777777736  
777777777737  
777777777738  
777777777739  
777777777740  
777777777741  
777777777742  
777777777743  
777777777744  
777777777745  
777777777746  
777777777747  
777777777748  
777777777749  
777777777750  
777777777751  
777777777752  
777777777753  
777777777754  
777777777755  
777777777756  
777777777757  
777777777758  
777777777759  
777777777760  
777777777761  
777777777762  
777777777763  
777777777764  
777777777765  
777777777766  
777777777767  
777777777768  
777777777769  
777777777770  
777777777771  
777777777772  
777777777773  
777777777774  
777777777775  
777777777776  
777777777777  
777777777778  
777777777779  
7777777777710  
7777777777711  
7777777777712  
7777777777713  
7777777777714  
7777777777715  
7777777777716  
7777777777717  
7777777777718  
7777777777719  
7777777777720  
7777777777721  
7777777777722  
7777777777723  
7777777777724  
7777777777725  
7777777777726  
7777777777727  
7777777777728  
7777777777729  
7777777777730  
7777777777731  
7777777777732  
7777777777733  
7777777777734  
7777777777735  
7777777777736  
7777777777737  
7777777777738  
7777777777739  
7777777777740  
7777777777741  
7777777777742  
7777777777743  
7777777777744  
7777777777745  
7777777777746  
7777777777747  
7777777777748  
7777777777749  
7777777777750  
7777777777751  
7777777777752  
7777777777753  
7777777777754  
7777777777755  
77777777

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE THAT Defendant Facets Fine Jewelry, LLC, d/b/a JB Hudson Jewelers (“JB Hudson”), pursuant to 28 U.S.C. §§ 1332 and 1446, hereby gives notice of the removal of this action to the United States District Court for the Central District of California, Western Division, Los Angeles. As grounds for this removal, JB Hudson states as follows:

## I. PROCEDURAL BACKGROUND

1. On December 2, 2013, Meritdiam, Inc. (“Meritdiam”) filed this action in the Superior Court of the State of California for the County of Los Angeles, Central District (Case No. BC529211).

2. The Los Angeles Superior Court is a state court within this district.

3. A copy of all items served upon JB Hudson, as required by 28 U.S.C. § 1446(a), is attached hereto as Exhibit A (namely, the Summons and Complaint).

4. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b), which provides, in pertinent part, as follows:

The notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based . . . .

5. Meritdiam's Summons and Complaint was served on JB Hudson on December 18, 2013. Accordingly, this notice of removal is timely pursuant to 28 U.S.C. 1446(b) because it is filed within thirty days of the service. *See Murphy*

1       *Bros. Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 347-48 (1999) (“[W]e hold  
 2 that a named defendant’s time to remove is triggered by simultaneous service of the  
 3 summons and complaint, or receipt of the complaint, ‘through service or  
 4 otherwise,’ after and apart from service of the summons, but not by mere receipt of  
 5 the complaint unattended by any formal service.”).

6       6. JB Hudson has not previously filed a responsive pleading in this  
 7 action, but is contemporaneously filing its answer in this Court.

8       7. This case is properly removable pursuant to 28 U.S.C. § 1441(a),  
 9 which provides as follows:

10                     (a) Except as otherwise expressly provided by Act of  
 11 Congress, any civil action brought in a State court of  
 12 which the district courts of the United States have original  
 13 jurisdiction, may be removed by the defendant or the  
 14 defendants, to the district court of the United States for  
 15 the district and division embracing the place where such  
 16 action is pending.

17       8. As set forth in more detail below, this action is properly removable  
 18 based on diversity jurisdiction.

## 21                     **II. DIVERSITY JURISDICTION**

22       9. This action is properly removable under 28 U.S.C. § 1332(a), which  
 23 provides, in pertinent part, as follows:

24                     (a) The district courts shall have original jurisdiction  
 25 of all civil actions where the matter in controversy  
 26 exceeds the sum or value of \$75,000, exclusive of  
 27 interest and costs, and is between -

(1) citizens of different States . . .

Here, diversity jurisdiction is proper because the amount in controversy exceeds \$75,000, and complete diversity exists between Meritdiam and JB Hudson.

A. The amount in controversy exceeds \$75,000, exclusive of interest and costs.

10. In the Complaint, Meritdiam seeks judgment in the principal sum of \$104,013.00, plus interest at the rate of ten percent per annum from August 2013 until paid in full or the date of entry of judgment, as well as costs of suit and attorney's fees. Thus, the amount in controversy is met here because the Complaint demonstrates that the value of Plaintiffs' claims exceed the jurisdictional amount, \$75,000.

**B. Complete diversity exists between Plaintiffs and Defendants.**

11. Meritdiam, as acknowledged in the case caption of the Complaint, is a California corporation and is a citizen of the State of California.

12. JB Hudson is a Delaware limited liability company with a principal place of business in Minnesota. Therefore, for diversity purposes, JB Hudson is a citizen of Delaware and Minnesota. *See* 28 U.S.C. § 1332(c)(1).

13. Federal courts have interpreted removal under 28 U.S.C § 1446 to generally require the consent of all defendants. *See, e.g., Hafiz v. Greenpoint Mortg. Funding, Inc.*, 652 F. Supp. 2d 1050, 1052 (N.D. Cal. 2009). However, an exception to the unanimity rule is recognized where removal consent is not

1 obtained from “nominal, unknown or fraudulently joined parties.” *United Computer*  
 2 *Sys., Inc. v. AT & T Corp.*, 298 F.3d 756, 762 (9th Cir. 2002).

3  
 4 14. Here, the only defendants other than JB Hudson are “Doe” defendants  
 5 who have not been served with process and whose identities are unknown.  
 6 Moreover, the “Does” are nominal defendants because none are parties to the  
 7 contract for sale of goods between Meritdiam and JB Hudson upon which  
 8 Meritdiam’s Complaint is based. *See* Complaint Ex. A. Therefore, consent of  
 9 unidentified Doe defendants is not required for removal. As such, complete  
 10 diversity exists between Meritdiam and JB Hudson who are citizens of different  
 11 states and this case is properly removable.

12  
**III. ALL OTHER PROCEDURAL REQUIREMENTS FOR REMOVAL**  
**ARE SATISFIED**

13  
 14 15. This case is a civil action within the meaning of the Acts of Congress  
 16 relating to the removal of causes.

17  
 18 19 16. This action has not previously been removed.

20  
 21 17. Nothing in this Notice of Removal shall be interpreted as a waiver or  
 22 relinquishment of JB Hudson’s rights to assert any defense or affirmative matter,  
 23 whether pursuant to Fed. R. Civ. P. 8(c), Fed. R. Civ. P. 12(b), or otherwise,  
 24 including, but not limited to, the defense for failure to state a claim upon which  
 25 relief can be granted.

25. JB Hudson herein reserves the right to supplement this Notice of Removal by adding any jurisdictional defenses which may independently support a basis for removal.

26. A copy of this Notice of Removal is being filed with the Court Administrator of the Los Angeles Superior Court, as provided under 28 U.S.C. § 1446(d). JB Hudson is also giving prompt written notice to Meritdiam of the filing of this Notice of Removal.

**WHEREFORE**, JB Hudson respectfully request that this Court take jurisdiction of this action and issue all necessary orders and process to remove this action from the Los Angeles Superior Court to the United States District Court for the Central District of California, Western Division, Los Angeles.

Dated: January 17, 2014

Respectfully submitted,

Benjamin E. Gurstelle (*pro hac vice pending*)  
BRIGGS AND MORGAN, P.A.

Matthew K. Wegner  
BROWN, WEGNER & BERLINER  
LLP

By: Matthew K. Wegner

Atorneys for Defendant  
Facets Fine Jewelry, LLC dba JB  
Hudson Jewelers

# EXHIBIT A

COPY

**SUMMONS**  
**(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**

FACETS FINE JEWELRY, LLC., a Minnesota Limited Liability Company dba JB HUDSON JEWELERS; and DOES 1-20, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

MERITDIAM, INC., a California corporation

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**CONFORMED COPY**  
**ORIGINAL FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

DEC 02 2013

Sherri R. Carter, Executive Officer/Clerk  
By: Shaunya Bolden, Deputy

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

*[AVISO] Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

CASE NUMBER:  
(Número del Caso)

BC 529211

Los Angeles Superior Court - Central District  
111 N. Hill Street, Los Angeles, CA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Sung T. Kim, Esq. (SBN 277052), 3455 Wilshire Blvd., Ste 2700, Los Angeles, CA 90010 (213) 221-4535

DATE:  
(Fecha)

Clerk, by  
(Secretario)

, Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):

3.  on behalf of (specify): *FACETS Fine Jewelry, LLC, a Minnesota Limited Liability Company*

- under:
- |                          |   |                          |                                |
|--------------------------|---|--------------------------|--------------------------------|
| <input type="checkbox"/> | CCP 416.10 (corporation)                | <input type="checkbox"/> | CCP 416.60 (minor)             |
| <input type="checkbox"/> | CCP 416.20 (defunct corporation)        | <input type="checkbox"/> | CCP 416.70 (conservatee)       |
| <input type="checkbox"/> | CCP 416.40 (association or partnership) | <input type="checkbox"/> | CCP 416.90 (authorized person) |
| <input type="checkbox"/> | other (specify):                        |                          |                                |

4.  by personal delivery on (date):

1 Sung T. Kim (Bar No. 277052)  
LAW OFFICES OF SUNG KIM & ASSOCIATES  
2 3435 Wilshire Blvd., Suite 2700  
Los Angeles, California 90010  
3 Telephone: (213) 221-4534  
Facsimile: (213) 487-3009

**CONFORMED COPY  
ORIGINAL FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

DEC 02 2013

**Sherri R. Carter, Executive Officer/Clerk  
By: Shaunya Bolden, Deputy**

Attorney for Plaintiff,  
MERITDIAM, INC., a California corporation

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

BC529211

MERITDIAM, INC., a California corporation.

CASE NO.:

**Plaintiff,**

**COMPLAINT FOR:**

vs

## 1. BREACH OF CONTRACT

FACETS FINE JEWELRY, LLC., a  
Minnesota Limited Liability Company dba  
JB HUDSON JEWELERS; and DOES 1  
through 20, inclusive

### 3 COMMON COUNT

## Defendants

COMES NOW Plaintiff, MERITDIAM, INC., alleges as follows:

## GENERAL ALLEGATION

1. Plaintiff, MERITDIAM, INC. (hereinafter "Plaintiff"), is and at all relevant times herein mentioned has been a corporation, duly organized and existing under the laws of the State of California, with its principal place of business located at 550 South Hill Street, Suite 1455, Los Angeles, California 90013.

2. Plaintiff is informed and believes, and based thereon alleges, that Defendant, FACETS FINE JEWELRY, LLC. dba JB HUDSON JEWELERS (hereinafter "Defendant"), is, and at all relevant times herein mentioned has been, a limited liability company duly organized

1 and existing under the laws of the State of Minnesota and has maintained its principal place of its  
2 business in the State of Minnesota.

3       3. Plaintiff is informed and believe and, based thereon, allege that Defendant DOES  
4       1 through 20, inclusive, are, and at all times herein-mentioned have been, the officers, the  
5       directors and/or the shareholders of Defendant.

6       4.       The true names and capacities, whether individual, corporate, associate or  
7 otherwise of Defendants DOES 1 through 20, and each of them, are unknown to Plaintiff, who  
8 therefore sue said Defendants by such fictitious names. Plaintiff will ask leave of Court to  
9 amend this Complaint when the true names and capacities have been ascertained. Plaintiff is  
10 informed and believe and, based thereon, allege that each such fictitiously named Defendant is  
11 responsible in some manner, and therefore, liable to Plaintiff for the acts herein alleged.

## JURISDICTION AND VENUE

15       5.      Jurisdiction and venue are appropriate in this Court as the causes of action alleged  
16 herein arose from a contract explicitly stating that the laws of the State of California shall govern  
17 and that the parties to the contract consent to jurisdiction and venue exclusively in the State of  
18 California.

## **FIRST CAUSE OF ACTION**

## **(Breach of Contract)**

23       6. Plaintiff realleges and incorporates herein by this reference paragraphs 1 through 5,  
24 inclusive, as though fully set forth herein.

25       7. On or about August 16, 2013, Plaintiff entered into a contract with Defendant  
26 wherein Plaintiff agreed to sell and deliver a diamond to Defendant and Defendant agreed to buy  
27 and pay for the diamond delivered from Plaintiff. Attached as Exhibit "A," and incorporated by  
28 reference, is a true and correct copy of the contract executed by Plaintiff and Defendant.

8. Plaintiff did all, or substantially all, of the significant things that the contract required it to do, by delivering the diamond to Defendant. Attached as Exhibit "B," and incorporated by reference, is a true and correct copy of the invoice sent to Defendant by Plaintiff.

9. Defendant breached the contract by refusing to pay Plaintiff for the diamond received.

10. As a result of the Defendant's breach of contract, Plaintiff has been damaged in an amount not less than \$104,013.00.

11. Plaintiff further requests reasonable attorneys' fees pursuant to the terms of the contract in Exhibit A.

## **SECOND CAUSE OF ACTION**

**(Common Count - Good Sold and Delivered)**

12. Plaintiff realleges and incorporates herein by this reference paragraphs 1 through 11, inclusive, as though fully set forth herein.

13. Defendant became indebted to Plaintiff in the sum of \$104,013.00 for the diamond sold and delivered to Defendant and for which Defendant promised to pay Plaintiff.

14. \$104,013.00, which is the reasonable value, is due and unpaid despite Plaintiff's demand, plus prejudgment interest at the rate of ten percent (10%) per annum from August 22, 2013.

15. Plaintiff is entitled to attorney fees by the contract according to proof at trial.

WHEREFORE, Plaintiff pray for judgment against Defendant as follows:

1 DATED: November 27, 2013

Law Offices of Sung T. Kim & Associates

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

By:

Sung T. Kim, Attorney for Plaintiff,  
MERITDIAM, INC.

## Exhibit A

## MERITDIAM / MERITDIAM INC

550 S. Hill St # 1455  
Los Angeles CA 90013  
Tel: (213) 687-7221 Fax: (213) 687-7009

Application for Credit ( from above )

Date : 8-16-13

LLC

For the purpose of obtaining merchandise from you on credit, we submit the following information and authorize you to contact the references given.

Firm Name : JB Hudson Jewelers DEP • Floor Nine Jewelry  
Tel : 612-338-5950 Fax :

Address :

Proprietorship : Partnership : Corporation : Others :  
Year Established : 1965 At Present Location Since : 2008

Tax ID : 41-1776941

Name of Bank : Wells Fargo

Bank Officer : Tynna Hirsch

Address of Bank : 90 S. 7th St. 11th Floor Minneapolis MN 55479

Credit References :

Name : SAI Asia - Meshi Tel : 212-421-8032 Fax :

Address : 589 5th Ave. Suite 807

Name : Waldman Diamond Tel : 212-921-8288 Fax :

Address : NY NY

Name : Hasenfeld - Stein - Shieberman Tel : 212-223-3315 Fax :

Address : NY NY

It is understood and agreed that payment received beyond terms stated on our invoice will be subject to late penalty charges. As a further inducement to extend credit I/We agree that in the event suit is brought on any obligation hereafter owed by me/us to you that I/We pay 1) Reasonable attorney's fees and necessary collection costs incurred by you in collection costs incurred by you in collecting the said obligation 2) Collection agency costs or collections costs even if suit is not instituted, the applicant agrees that the laws of the state of California shall be applicable to all suits and/or claims arising under any dispute between the undersigned and Meritdiam / Meritdiam Inc, in event of litigation, venue shall be in the courts located in the city of Los Angeles.

I hereby personally guarantee the obligation of the above applicant. I further agree that the personal guarantee will not be affected by any bankruptcy or insolvency proceeding.

Authorized by : Patrick Nelson

Signed : Patrick Nelson

Title : Diamond Buyer

Owner's Home Address : Edina, MN

Address : 401 N. Collet Mall  
Minneapolis MN 55402

## Exhibit B

**MERITDIAM INC**

550, South Hill Street Suite 1455  
 Los-Angeles, California 90013  
 Tel : (213)687-7221  
 Fax : (213)687-7009  
 E-Mail : meritdiam@gmail.com

**INVOICE**

Invoice # :

**INVOICE TO**  
 Facets Fine Jewelry LLC (dba :JB Hudson Jewelers)  
 901 Nicollet Mall  
 Minneapolis MN 55402  
 Patrick Nelson  
 Tel : (612)338-5950  
 Fax :

**SHIP TO**  
 Same

Attn :  
 Tel :  
 Fax :

Invoice #	Issue Date	Sales Person	Ship Via	Terms
	22-Aug-13			Cash ( Bill after memo)

ITEM #	QTY	DESCRIPTION	PRICE per CT	TOTAL PRICE
RBC	2.93 CT	E-VVS2 with G.I.A cert ( Polished loose diamond)		\$104,013.00

Sub Total :

Discount :

Shipping :

Sales Tax :

Invoice Total :

\$104,013.00

Message :

Customer Signature : \_\_\_\_\_

The diamonds herein invoiced have been purchased from legitimate sources not involved in funding conflict in compliance with U.N Resolutions. The seller hereby guarantees that these diamonds are conflict free, based on personal knowledge and/or written guarantees provided by the supplier of these diamonds\*

**Bank Account Informations :**

Beneficiary: Waldenia Correa Prado Goncalves

Bank Name : JP Morgan Chase Bank (A.B.A # : 267084131, Swift Code: CHASUS33 )

Address : 790 E Broward Blvd Fort Lauderdale Miami, Florida 33301

Account No: 107369720

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
 Jason J. Kim, Esq. (SBN 190246)  
 Law Offices of Kim, Au & Associates, APC  
 3435 Wilshire Blvd., Suite 2080  
 Los Angeles, CA 90010  
 TELEPHONE NO.: (213) 252-8008 FAX NO.:  
 ATTORNEY FOR (Name): Plaintiff, MERITDIAM, INC.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles  
 STREET ADDRESS: 111 North Hill Street  
 MAILING ADDRESS: 111 North Hill Street  
 CITY AND ZIP CODE: Los Angeles, CA 90012  
 BRANCH NAME: Stanley Mosk Courthouse

CONFORMED COPY  
 FOR OFFICE USE ONLY  
 ORIGINAL PETITION  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF LOS ANGELES

DEC 02 2013

Sherri R. Carter, Executive Officer/Clerk  
 By: Shaunya Bolden, Deputy

CASE NAME:  
 MERITDIAM, INC. vs. FACETS FINE JEWELRY, LLC., et al.

<b>CIVIL CASE COVER SHEET</b>		<b>Complex Case Designation</b>	<b>CASE NUMBER:</b> <b>BC 529211</b>
<input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	<input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
JUDGE: DEPT:			

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

**Auto Tort**

- Auto (22)  
 Uninsured motorist (46)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

- Asbestos (04)  
 Product liability (24)  
 Medical malpractice (45)  
 Other PI/PD/WD (23)

**Non-PI/PD/WD (Other) Tort**

- Business tort/unfair business practice (07)  
 Civil rights (08)  
 Defamation (13)  
 Fraud (16)  
 Intellectual property (19)  
 Professional negligence (25)  
 Other non-PI/PD/WD tort (35)

**Employment**

- Wrongful termination (36)  
 Other employment (15)

**Contract**

- Breach of contract/warranty (06)  
 Rule 3.740 collections (09)  
 Other collections (09)  
 Insurance coverage (18)  
 Other contract (37)

**Real Property**

- Eminent domain/inverse condemnation (14)  
 Wrongful eviction (33)  
 Other real property (26)

**Unlawful Detainer**

- Commercial (31)  
 Residential (32)  
 Drugs (38)

**Judicial Review**

- Asset forfeiture (05)  
 Petition re: arbitration award (11)  
 Writ of mandate (02)  
 Other judicial review (39)

**Provisionally Complex Civil Litigation**  
(Cal. Rules of Court, rules 3.400–3.403)

- Antitrust/Trade regulation (03)  
 Construction defect (10)  
 Mass tort (40)  
 Securities litigation (28)  
 Environmental/Toxic tort (30)  
 Insurance coverage claims arising from the above listed provisionally complex case types (41)

**Enforcement of Judgment**

- Enforcement of judgment (20)

**Miscellaneous Civil Complaint**

- RICO (27)  
 Other complaint (not specified above) (42)

**Miscellaneous Civil Petition**

- Partnership and corporate governance (21)  
 Other petition (not specified above) (43)

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a.  Large number of separately represented parties      d.  Large number of witnesses  
 b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve      e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
 c.  Substantial amount of documentary evidence      f.  Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary      b.  nonmonetary; declaratory or injunctive relief      c.  punitive

4. Number of causes of action (specify): 2

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: November 27, 2013

Sung T. Kim

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

SHORT TITLE: Meritdiam, Inc. vs. Facets fine Jewelry, LLC., et al.	CASE NUMBER
---	-------------

**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL 2  HOURS/  DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column B below which best describes the nature of this case.

**Step 3:** In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

- |  |  |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle.    |
| 2. May be filed in central (other county, or no bodily injury/property damage).  | 7. Location where petitioner resides.                      |
| 3. Location where cause of action arose.   | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred.                       | 9. Location where one or more of the parties reside.       |
| 5. Location where performance required or defendant resides.                     | 10. Location of Labor Commissioner Office                  |

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort		
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: Meritdiam, Inc. vs. Facets fine Jewelry, LLC., et al.		CASE NUMBER																																																												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 33.33%;">A Civil Case Cover Sheet Category No.</th> <th style="text-align: center; width: 33.33%;">B Type of Action (Check only one)</th> <th style="text-align: center; width: 33.33%;">C Applicable Reasons - See Step 3 Above</th> </tr> </thead> <tbody> <tr> <td>Business Tort (07)</td> <td><input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)</td> <td>1., 3.</td> </tr> <tr> <td>Civil Rights (08)</td> <td><input type="checkbox"/> A6005 Civil Rights/Discrimination</td> <td>1., 2., 3.</td> </tr> <tr> <td>Defamation (13)</td> <td><input type="checkbox"/> A6010 Defamation (slander/libel)</td> <td>1., 2., 3.</td> </tr> <tr> <td>Fraud (16)</td> <td><input type="checkbox"/> A6013 Fraud (no contract)</td> <td>1., 2., 3.</td> </tr> <tr> <td>Professional Negligence (25)</td> <td><input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)</td> <td>1., 2., 3. 1., 2., 3.</td> </tr> <tr> <td>Other (35)</td> <td><input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort</td> <td>2., 3.</td> </tr> <tr> <td>Wrongful Termination (36)</td> <td><input type="checkbox"/> A6037 Wrongful Termination</td> <td>1., 2., 3.</td> </tr> <tr> <td>Other Employment (15)</td> <td><input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals</td> <td>1., 2., 3. 10.</td> </tr> <tr> <td>Breach of Contract/ Warranty (06) (not insurance)</td> <td><input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input checked="" type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)</td> <td>2., 5. 2., 5. 1., 2., 5. 1., 2., 5.</td> </tr> <tr> <td>Collections (09)</td> <td><input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case</td> <td>2., 5., 6. 2., 5.</td> </tr> <tr> <td>Insurance Coverage (18)</td> <td><input type="checkbox"/> A6015 Insurance Coverage (not complex)</td> <td>1., 2., 5., 8.</td> </tr> <tr> <td>Other Contract (37)</td> <td><input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input checked="" type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)</td> <td>1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.</td> </tr> <tr> <td>Eminent Domain/Inverse Condemnation (14)</td> <td><input type="checkbox"/> A7300 Eminent Domain/Condemnation</td> <td>Number of parcels _____ 2.</td> </tr> <tr> <td>Wrongful Eviction (33)</td> <td><input type="checkbox"/> A6023 Wrongful Eviction Case</td> <td>2., 6.</td> </tr> <tr> <td>Other Real Property (26)</td> <td><input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)</td> <td>2., 6. 2., 6. 2., 6.</td> </tr> <tr> <td>Unlawful Detainer-Commercial (31)</td> <td><input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)</td> <td>2., 6.</td> </tr> <tr> <td>Unlawful Detainer-Residential (32)</td> <td><input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)</td> <td>2., 6.</td> </tr> <tr> <td>Unlawful Detainer- Post-Foreclosure (34)</td> <td><input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure</td> <td>2., 6.</td> </tr> <tr> <td>Unlawful Detainer-Drugs (38)</td> <td><input type="checkbox"/> A6022 Unlawful Detainer-Drugs</td> <td>2., 6.</td> </tr> </tbody> </table>			A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input checked="" type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input checked="" type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation	Number of parcels _____ 2.	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above																																																												
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.																																																												
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.																																																												
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.																																																												
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.																																																												
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.																																																												
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.																																																												
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.																																																												
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.																																																												
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input checked="" type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.																																																												
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.																																																												
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.																																																												
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input checked="" type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.																																																												
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation	Number of parcels _____ 2.																																																												
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.																																																												
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.																																																												
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.																																																												
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.																																																												
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.																																																												
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.																																																												

SHORT TITLE: Meritdiam, Inc. vs. Facets fine Jewelry, LLC., et al.		CASE NUMBER																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 33.33%;">A Civil Case Cover Sheet Category No.</th> <th style="text-align: center; width: 33.33%;">B Type of Action (Check only one)</th> <th style="text-align: center; width: 33.33%;">C Applicable Reasons - See Step 3 Above</th> </tr> </thead> <tbody> <tr> <td>Judicial Review</td> <td> <input type="checkbox"/> A6108 Asset Forfeiture Case  <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration  <input type="checkbox"/> A6151 Writ - Administrative Mandamus  <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter  <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review  <input type="checkbox"/> A6150 Other Writ /Judicial Review         </td> <td>2., 6. 2., 5. 2., 8. 2. 2. 2., 8.</td> </tr> <tr> <td>Provisionally Complex Litigation</td> <td> <input type="checkbox"/> A6003 Antitrust/Trade Regulation  <input type="checkbox"/> A6007 Construction Defect  <input type="checkbox"/> A6006 Claims Involving Mass Tort  <input type="checkbox"/> A6035 Securities Litigation Case  <input type="checkbox"/> A6036 Toxic Tort/Environmental  <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)         </td> <td>1., 2., 8. 1., 2., 3. 1., 2., 8. 1., 2., 8. 1., 2., 3., 8. 1., 2., 5., 8.</td> </tr> <tr> <td>Enforcement of Judgment</td> <td> <input type="checkbox"/> A6141 Sister State Judgment  <input type="checkbox"/> A6160 Abstract of Judgment  <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)  <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)  <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax  <input type="checkbox"/> A6112 Other Enforcement of Judgment Case         </td> <td>2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.</td> </tr> <tr> <td>Miscellaneous Civil Complaints</td> <td> <input type="checkbox"/> A6033 Racketeering (RICO) Case  <input type="checkbox"/> A6030 Declaratory Relief Only  <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)  <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)  <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)         </td> <td>1., 2., 8. 1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.</td> </tr> <tr> <td>Miscellaneous Civil Petitions</td> <td> <input type="checkbox"/> A6113 Partnership and Corporate Governance Case  <input type="checkbox"/> A6121 Civil Harassment  <input type="checkbox"/> A6123 Workplace Harassment  <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case  <input type="checkbox"/> A6190 Election Contest  <input type="checkbox"/> A6110 Petition for Change of Name  <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law  <input type="checkbox"/> A6100 Other Civil Petition         </td> <td>2., 8. 2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.</td> </tr> </tbody> </table>			A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	Judicial Review	<input type="checkbox"/> A6108 Asset Forfeiture Case <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration <input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review <input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 6. 2., 5. 2., 8. 2. 2. 2., 8.	Provisionally Complex Litigation	<input type="checkbox"/> A6003 Antitrust/Trade Regulation <input type="checkbox"/> A6007 Construction Defect <input type="checkbox"/> A6006 Claims Involving Mass Tort <input type="checkbox"/> A6035 Securities Litigation Case <input type="checkbox"/> A6036 Toxic Tort/Environmental <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 8. 1., 2., 3. 1., 2., 8. 1., 2., 8. 1., 2., 3., 8. 1., 2., 5., 8.	Enforcement of Judgment	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.	Miscellaneous Civil Complaints	<input type="checkbox"/> A6033 Racketeering (RICO) Case <input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.	Miscellaneous Civil Petitions	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case <input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 8. 2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above																		
Judicial Review	<input type="checkbox"/> A6108 Asset Forfeiture Case <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration <input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review <input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 6. 2., 5. 2., 8. 2. 2. 2., 8.																		
Provisionally Complex Litigation	<input type="checkbox"/> A6003 Antitrust/Trade Regulation <input type="checkbox"/> A6007 Construction Defect <input type="checkbox"/> A6006 Claims Involving Mass Tort <input type="checkbox"/> A6035 Securities Litigation Case <input type="checkbox"/> A6036 Toxic Tort/Environmental <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 8. 1., 2., 3. 1., 2., 8. 1., 2., 8. 1., 2., 3., 8. 1., 2., 5., 8.																		
Enforcement of Judgment	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.																		
Miscellaneous Civil Complaints	<input type="checkbox"/> A6033 Racketeering (RICO) Case <input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.																		
Miscellaneous Civil Petitions	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case <input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 8. 2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.																		

SHORT TITLE: Meritdiam, Inc. vs. Facets fine Jewelry, LLC., et al.	CASE NUMBER
---	-------------

**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON:</b> Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.		ADDRESS: 550 South Hill Street, Suite 1455
<input checked="" type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input checked="" type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		
CITY: Los Angeles	STATE: CA	ZIP CODE: 90013

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: November 27, 2013



(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

## NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE (NON-CLASS ACTION)

Case Number \_\_\_\_\_

BC 52921

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

Your case is assigned for all purposes to the judicial officer indicated below. There is additional information on the reverse side of this form.

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
Hon. Daniel Buckley	1	534	Hon. Michael Johnson	56	514
Hon. Barbara A. Meiers	12	636	Hon. Ralph W. Dau	57	517
Hon. Terry A. Green	14	300	Hon. Rolf M. Treu	58	516
Hon. Richard Fruin	15	307	Hon. Michael L. Stern	62	600
Hon. Rita Miller	16	306	Hon. Mark Mooney	68	617
Hon. Richard E. Rico	17	309	Hon. William F. Fahey	69	621
Hon. Kevin C. Brazile	20	310	Hon. Soussan G. Bruguera	71	729
Hon. Robert L. Hess	24	314	Hon. Ruth Ann Kwan	72	731
Hon. Mary Ann Murphy	25	317	Hon. Teresa Sanchez-Gordon	74	735
Hon. Yvette M. Palazuelos	28	318			
Hon. Barbara Schepers	30	400			
Hon. Mary H. Strobel	32	406	<b>Hon. Emilie H. Elias</b>	<b>324</b>	<b>CCW</b>
Hon. Maureen Duffy-Lewis	38	412	<b>Hon. Elihu M. Berle*</b>	<b>323</b>	<b>CCW</b>
Hon. Michelle R. Rosenblatt	40	414	OTHER		
Hon. Ronald M. Sohigian	41	417			
Hon. Holly E. Kendig	42	416			
Hon. Mel Red Recana	45	529			
Hon. Debre Katz Weintraub	47	507			
Hon. Elizabeth Allen White	48	506			
Hon. Deirdre Hill	49	509			
Hon. John L. Segal	50	508			
Hon. Abraham Khan	51	511			
Hon. Susan Bryant-Deason	52	510			
Hon. Steven J. Kleifield	53	513			
Hon. Ernest M. Hiroshige	54	512			
Hon. Malcolm H. Mackey	55	515			

DEC 02 2013

**\*Complex**

All cases designated as complex (other than class actions) are initially assigned to Judge Elihu M. Berle in Department 323 of the Central Civil West Courthouse (600 S. Commonwealth Ave., Los Angeles 90005). This assignment is for the purpose of assessing whether or not the case is complex within the meaning of California Rules of Court, rule 3.400. Depending on the outcome of that assessment, the case may be reassigned to one of the judges of the Complex Litigation Program or reassigned randomly to a court in the Central District.

Given to the Plaintiff/Cross-Complainant/Attorney of Record on \_\_\_\_\_ SHERRI R. CARTER, Executive Officer/Clerk  
By \_\_\_\_\_, Deputy Clerk

## INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the Chapter Three Rules, as applicable in the Central District, are summarized for your assistance.

### APPLICATION

The Chapter Three Rules were effective January 1, 1994. They apply to all general civil cases.

### PRIORITY OVER OTHER RULES

The Chapter Three Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

### CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

### TIME STANDARDS

Cases assigned to the Individual Calendaring Court will be subject to processing under the following time standards:

**COMPLAINTS:** All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days of filing.

**CROSS-COMPLAINTS:** Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

A Status Conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

### FINAL STATUS CONFERENCE

The Court will require the parties at a status conference not more than 10 days before the trial to have timely filed and served all motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested jury instructions, and special jury instructions and special jury verdicts. These matters may be heard and resolved at this conference. At least 5 days before this conference, counsel must also have exchanged lists of exhibits and witnesses and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Eight of the Los Angeles Superior Court Rules.

### SANCTIONS

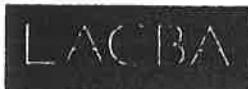
The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party or if appropriate on counsel for the party.

**This is not a complete delineation of the Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is absolutely imperative.**

## VOLUNTARY EFFICIENT LITIGATION STIPULATIONS

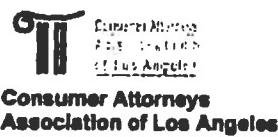


Superior Court of California  
County of Los Angeles

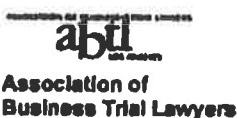


Los Angeles County  
Bar Association  
Litigation Section

Los Angeles County  
Bar Association Labor and  
Employment Law Section



Southern California  
Defense Counsel



Association of  
Business Trial Lawyers



California Employment  
Lawyers Association

The Early Organizational Meeting Stipulation, Discovery Resolution Stipulation, and Motions in Limine Stipulation are voluntary stipulations entered into by the parties. The parties may enter into one, two, or all three of the stipulations; however, they may not alter the stipulations as written, because the Court wants to ensure uniformity of application. These stipulations are meant to encourage cooperation between the parties and to assist in resolving issues in a manner that promotes economic case resolution and judicial efficiency.

*The following organizations endorse the goal of promoting efficiency in litigation and ask that counsel consider using these stipulations as a voluntary way to promote communications and procedures among counsel and with the court to fairly resolve issues in their cases.*

### ◆ Los Angeles County Bar Association Litigation Section ◆

### ◆ Los Angeles County Bar Association Labor and Employment Law Section ◆

### ◆ Consumer Attorneys Association of Los Angeles ◆

### ◆ Southern California Defense Counsel ◆

### ◆ Association of Business Trial Lawyers ◆

### ◆ California Employment Lawyers Association ◆

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FAX NO. (Optional):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		CASE NUMBER:
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION – EARLY ORGANIZATIONAL MEETING</b>		

**This stipulation is intended to encourage cooperation among the parties at an early stage in the litigation and to assist the parties in efficient case resolution.**

**The parties agree that:**

1. The parties commit to conduct an initial conference (in-person or via teleconference or via videoconference) within 15 days from the date this stipulation is signed, to discuss and consider whether there can be agreement on the following:
  - a. Are motions to challenge the pleadings necessary? If the issue can be resolved by amendment as of right, or if the Court would allow leave to amend, could an amended complaint resolve most or all of the issues a demurrer might otherwise raise? If so, the parties agree to work through pleading issues so that a demurrer need only raise issues they cannot resolve. Is the issue that the defendant seeks to raise amenable to resolution on demurrer, or would some other type of motion be preferable? Could a voluntary targeted exchange of documents or information by any party cure an uncertainty in the pleadings?
  - b. Initial mutual exchanges of documents at the "core" of the litigation. (For example, in an employment case, the employment records, personnel file and documents relating to the conduct in question could be considered "core." In a personal injury case, an incident or police report, medical records, and repair or maintenance records could be considered "core.");
  - c. Exchange of names and contact information of witnesses;
  - d. Any insurance agreement that may be available to satisfy part or all of a judgment, or to indemnify or reimburse for payments made to satisfy a judgment;
  - e. Exchange of any other information that might be helpful to facilitate understanding, handling, or resolution of the case in a manner that preserves objections or privileges by agreement;
  - f. Controlling issues of law that, if resolved early, will promote efficiency and economy in other phases of the case. Also, when and how such issues can be presented to the Court;
  - g. Whether or when the case should be scheduled with a settlement officer, what discovery or court ruling on legal issues is reasonably required to make settlement discussions meaningful, and whether the parties wish to use a sitting judge or a private mediator or other options as

SHORT TITLE:	CASE NUMBER:
--------------	--------------

discussed in the "Alternative Dispute Resolution (ADR) Information Package" served with the complaint;

- h. Computation of damages, including documents not privileged or protected from disclosure, on which such computation is based;
- i. Whether the case is suitable for the Expedited Jury Trial procedures (see information at [www.lasuperiorcourt.org](http://www.lasuperiorcourt.org) under "Civil" and then under "General Information").
2. The time for a defending party to respond to a complaint or cross-complaint will be extended to \_\_\_\_\_ for the complaint, and \_\_\_\_\_ for the cross-complaint, which is comprised of the 30 days to respond under Government Code § 68616(b), and the 30 days permitted by Code of Civil Procedure section 1054(a), good cause having been found by the Civil Supervising Judge due to the case management benefits provided by this Stipulation.
3. The parties will prepare a joint report titled "Joint Status Report Pursuant to Initial Conference and Early Organizational Meeting Stipulation, and if desired, a proposed order summarizing results of their meet and confer and advising the Court of any way it may assist the parties' efficient conduct or resolution of the case. The parties shall attach the Joint Status Report to the Case Management Conference statement, and file the documents when the CMC statement is due.
4. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day

The following parties stipulate:

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

- \_\_\_\_\_  
(ATTORNEY FOR PLAINTIFF)
- \_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION – DISCOVERY RESOLUTION</b>		CASE NUMBER:

**This stipulation is intended to provide a fast and informal resolution of discovery issues through limited paperwork and an informal conference with the Court to aid in the resolution of the issues.**

**The parties agree that:**

1. Prior to the discovery cut-off in this action, no discovery motion shall be filed or heard unless the moving party first makes a written request for an Informal Discovery Conference pursuant to the terms of this stipulation.
  
2. At the Informal Discovery Conference the Court will consider the dispute presented by parties and determine whether it can be resolved informally. Nothing set forth herein will preclude a party from making a record at the conclusion of an Informal Discovery Conference, either orally or in writing.
  
3. Following a reasonable and good faith attempt at an informal resolution of each issue to be presented, a party may request an Informal Discovery Conference pursuant to the following procedures:
  - a. The party requesting the Informal Discovery Conference will:
    - i. File a Request for Informal Discovery Conference with the clerk's office on the approved form (copy attached) and deliver a courtesy, conformed copy to the assigned department;
    - ii. Include a brief summary of the dispute and specify the relief requested; and
    - iii. Serve the opposing party pursuant to any authorized or agreed method of service that ensures that the opposing party receives the Request for Informal Discovery Conference no later than the next court day following the filing.
  
  - b. Any Answer to a Request for Informal Discovery Conference must:
    - i. Also be filed on the approved form (copy attached);
    - ii. Include a brief summary of why the requested relief should be denied;

SHORT TITLE:	CASE NUMBER:

- iii. Be filed within two (2) court days of receipt of the Request; and
  - iv. Be served on the opposing party pursuant to any authorized or agreed upon method of service that ensures that the opposing party receives the Answer no later than the next court day following the filing.
- c. No other pleadings, including but not limited to exhibits, declarations, or attachments, will be accepted.
- d. If the Court has not granted or denied the Request for Informal Discovery Conference within ten (10) days following the filing of the Request, then it shall be deemed to have been denied. If the Court acts on the Request, the parties will be notified whether the Request for Informal Discovery Conference has been granted or denied and, if granted, the date and time of the Informal Discovery Conference, which must be within twenty (20) days of the filing of the Request for Informal Discovery Conference.
- e. If the conference is not held within twenty (20) days of the filing of the Request for Informal Discovery Conference, unless extended by agreement of the parties and the Court, then the Request for the Informal Discovery Conference shall be deemed to have been denied at that time.
4. If (a) the Court has denied a conference or (b) one of the time deadlines above has expired without the Court having acted or (c) the Informal Discovery Conference is concluded without resolving the dispute, then a party may file a discovery motion to address unresolved issues.
5. The parties hereby further agree that the time for making a motion to compel or other discovery motion is tolled from the date of filing of the Request for Informal Discovery Conference until (a) the request is denied or deemed denied or (b) twenty (20) days after the filing of the Request for Informal Discovery Conference, whichever is earlier, unless extended by Order of the Court..

It is the understanding and intent of the parties that this stipulation shall, for each discovery dispute to which it applies, constitute a writing memorializing a "specific later date to which the propounding [or demanding or requesting] party and the responding party have agreed in writing," within the meaning of Code Civil Procedure sections 2030.300(c), 2031.320(c), and 2033.290(c).

6. Nothing herein will preclude any party from applying *ex parte* for appropriate relief, including an order shortening time for a motion to be heard concerning discovery.
7. Any party may terminate this stipulation by giving twenty-one (21) days notice of intent to terminate the stipulation.
8. References to "days" mean calendar days, unless otherwise noted. If the date for performing any act pursuant to this stipulation falls on a Saturday, Sunday or Court holiday, then the time for performing that act shall be extended to the next Court day.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

**The following parties stipulate:**

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Date:

➤ \_\_\_\_\_  
(ATTORNEY FOR PLAINTIFF)

➤ \_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)

➤ \_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)

➤ \_\_\_\_\_  
(ATTORNEY FOR DEFENDANT)

➤ \_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

➤ \_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

➤ \_\_\_\_\_  
(ATTORNEY FOR \_\_\_\_\_)

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>INFORMAL DISCOVERY CONFERENCE</b> (pursuant to the Discovery Resolution Stipulation of the parties)		CASE NUMBER

1. This document relates to:
  - Request for Informal Discovery Conference
  - Answer to Request for Informal Discovery Conference
2. Deadline for Court to decide on Request: \_\_\_\_\_ (Insert date 10 calendar days following filing of the Request).
3. Deadline for Court to hold Informal Discovery Conference: \_\_\_\_\_ (Insert date 20 calendar days following filing of the Request).
4. For a Request for Informal Discovery Conference, briefly describe the nature of the discovery dispute, including the facts and legal arguments at issue. For an Answer to Request for Informal Discovery Conference, briefly describe why the Court should deny the requested discovery, including the facts and legal arguments at issue.

NAME AND ADDRESS OF ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NUMBER	Reserved for Clerk's File Stamp
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>		
COURTHOUSE ADDRESS:		
PLAINTIFF:		
DEFENDANT:		
<b>STIPULATION AND ORDER – MOTIONS IN LIMINE</b>		CASE NUMBER

**This stipulation is intended to provide fast and informal resolution of evidentiary issues through diligent efforts to define and discuss such issues and limit paperwork.**

**The parties agree that:**

1. At least \_\_\_\_ days before the final status conference, each party will provide all other parties with a list containing a one paragraph explanation of each proposed motion in limine. Each one paragraph explanation must identify the substance of a single proposed motion in limine and the grounds for the proposed motion.
2. The parties thereafter will meet and confer, either in person or via teleconference or videoconference, concerning all proposed motions in limine. In that meet and confer, the parties will determine:
  - a. Whether the parties can stipulate to any of the proposed motions. If the parties so stipulate, they may file a stipulation and proposed order with the Court.
  - b. Whether any of the proposed motions can be briefed and submitted by means of a short joint statement of issues. For each motion which can be addressed by a short joint statement of issues, a short joint statement of issues must be filed with the Court 10 days prior to the final status conference. Each side's portion of the short joint statement of issues may not exceed three pages. The parties will meet and confer to agree on a date and manner for exchanging the parties' respective portions of the short joint statement of issues and the process for filing the short joint statement of issues.
3. All proposed motions in limine that are not either the subject of a stipulation or briefed via a short joint statement of issues will be briefed and filed in accordance with the California Rules of Court and the Los Angeles Superior Court Rules.

SHORT TITLE:	CASE NUMBER:
--------------	--------------

**The following parties stipulate:**

Date:

(TYPE OR PRINT NAME)

Date:

- \_\_\_\_\_ (ATTORNEY FOR PLAINTIFF)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR DEFENDANT)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)
- \_\_\_\_\_ (ATTORNEY FOR \_\_\_\_\_)

**THE COURT SO ORDERS.**

Date: \_\_\_\_\_

JUDICIAL OFFICER

## PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in Orange County, State of California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 2603 Main Street, Suite 1050, Irvine, California 92614.

On January 17, 2014, I served the foregoing document(s) entitled:

**JB HUDSON JEWELLERS' NOTICE OF REMOVAL OF CIVIL ACTION  
FROM STATE COURT**

on the following interested parties in this action:

Sung T. Kim, Esq.  
Law Offices of Sung Kim & Associates  
3435 Wilshire Boulevard, Suite 2700  
Los Angeles, CA 90010  
Telephone 213.221.4534  
Fax 213.487.3009  
[Attorney for Plaintiff Meritdiam, Inc.]

- BY U.S. MAIL:** I enclosed  the original  true copy(ies) of the document(s) in envelope(s) addressed as above, postage thereon fully prepaid, and sealed and placed the envelope(s) for collection and mailing following Brown, Wegner & Berliner LLP's ordinary business practices. I am readily familiar with the regular mailing collection and processing practices of this office, by means of which mail is deposited with the United States Postal Service that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed this January 17, 2014, at Irvine, California.

  
Mae Galvez, PLS

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Michael W. Fitzgerald and the assigned Magistrate Judge is Carla Woehrle.

The case number on all documents filed with the Court should read as follows:

2:14CV422 MWF CWx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

January 17, 2014

Date

By J.Prado

Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself  )

Meritdiam, Inc.

DEFENDANTS (Check box if you are representing yourself  )

Facets Fine Jewelry, LLC, d/b/a JB Hudson Jewelers

## (b) County of Residence of First Listed Plaintiff \_\_\_\_\_

(EXCEPT IN U.S. PLAINTIFF CASES)

## County of Residence of First Listed Defendant \_\_\_\_\_

(IN U.S. PLAINTIFF CASES ONLY)

## (c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Sung T. Kim, Esq., Law Offices of Sung Kim & Associates  
3435 Wilshire Boulevard, Suite 2700, Los Angeles, California 90010  
Telephone 213.221.4534

## Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Matthew K. Wegner, Esq. of Brown, Wegner & Berliner LLP  
2803 Main Street, Suite 1050, Irvine, California 92614  
Telephone 949.705.0080

## II. BASIS OF JURISDICTION (Place an X in one box only.)

- |   |  |
|---|--|
| <input type="checkbox"/> 1. U.S. Government Plaintiff | <input type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)                     |
| <input type="checkbox"/> 2. U.S. Government Defendant | <input checked="" type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input checked="" type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

## IV. ORIGIN (Place an X in one box only.)

- |   |  |   |  |   |   |
|---|--|---|--|---|---|
| <input type="checkbox"/> 1. Original Proceeding | <input type="checkbox"/> 2. Removed from State Court | <input type="checkbox"/> 3. Remanded from Appellate Court | <input type="checkbox"/> 4. Reinstated or Reopened | <input type="checkbox"/> 5. Transferred from Another District (Specify) _____ | <input type="checkbox"/> 6. Multi-District Litigation |
|---|--|---|--|---|---|

V. REQUESTED IN COMPLAINT: JURY DEMAND:  Yes  No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23:  Yes  No MONEY DEMANDED IN COMPLAINT: \$ 104,013.00

## VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 U.S.C. § 1332(a)

## VII. NATURE OF SUIT (Place an X in one box only).

GENERAL	CONTRACT	PROPERTY DAMAGE	IMMIGRATION	DISCRIMINATION	SECURITIES
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 530 General	<input type="checkbox"/> SOC SEC/SSA
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 161 Fed. Employers' Liability	<input type="checkbox"/> 162 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 863 DIWC/DIW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 163 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 163 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 164 Motor Vehicle Product Liability	<input type="checkbox"/> 164 Motor Vehicle Product Liability	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 165 Motor Vehicle Product Liability	<input type="checkbox"/> 165 Motor Vehicle Product Liability	<input type="checkbox"/> 350 Motor Vehicle Product Liability	<input type="checkbox"/> 390 OTHER	<input type="checkbox"/> FEDERAL TAXES
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 166 Motor Vehicle Product Liability	<input type="checkbox"/> 166 Motor Vehicle Product Liability	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 167 Motor Vehicle Product Liability	<input type="checkbox"/> 167 Motor Vehicle Product Liability	<input type="checkbox"/> 360 Other Civil Rights Injury	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 168 Motor Vehicle Product Liability	<input type="checkbox"/> 168 Motor Vehicle Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 169 Motor Vehicle Product Liability	<input type="checkbox"/> 169 Motor Vehicle Product Liability	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 170 Motor Vehicle Product Liability	<input type="checkbox"/> 170 Motor Vehicle Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 171 Motor Vehicle Product Liability	<input type="checkbox"/> 171 Motor Vehicle Product Liability	<input type="checkbox"/> 443 Housing/ Accomodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 172 Motor Vehicle Product Liability	<input type="checkbox"/> 172 Motor Vehicle Product Liability	<input type="checkbox"/> 444 American with Disabilities- Employment	<input type="checkbox"/> 740 Railway Labor Act	
	<input type="checkbox"/> 173 Motor Vehicle Product Liability	<input type="checkbox"/> 173 Motor Vehicle Product Liability	<input type="checkbox"/> 445 American with Disabilities- Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
	<input type="checkbox"/> 174 Motor Vehicle Product Liability	<input type="checkbox"/> 174 Motor Vehicle Product Liability	<input type="checkbox"/> 446 American with Disabilities- Other	<input type="checkbox"/> 790 Other Labor Litigation	
	<input type="checkbox"/> 175 Motor Vehicle Product Liability	<input type="checkbox"/> 175 Motor Vehicle Product Liability	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number

CV14-0422

CIVIL COVER SHEET

CV-71 (11/13)

## CIVIL COVER SHEET

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:	
	<input checked="" type="checkbox"/> Los Angeles	
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	
	<input type="checkbox"/> Orange	
	<input type="checkbox"/> Riverside or San Bernardino	
	INITIAL DIVISION IN CACD IS:	
	Western	
	Western	
	Southern	
	Eastern	

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:	
	A PLAINTIFF?	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino
A DEFENDANT?		
Then check the box below for the county in which the majority of PLAINTIFFS reside.		
<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	
<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	
<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	
<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	
INITIAL DIVISION IN CACD IS:		
Western		
Western		
Southern		
Eastern		
Western		

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 2 or more answers in Column C</li> <li><input type="checkbox"/> only 1 answer in Column C and no answers in Column D</li> </ul> <p>Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below.</p> <p>If none applies, answer question C2 to the right. ➔</p>		<b>C.2. Is either of the following true? If so, check the one that applies:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> 2 or more answers in Column D</li> <li><input type="checkbox"/> only 1 answer in Column D and no answers in Column C</li> </ul> <p>Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below.</p> <p>If none applies, go to the box below. ↓</p>	
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.			

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: ➔	WESTERN DIVISION

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**IX(a). IDENTICAL CASES:** Has this action been previously filed in **this court** and dismissed, remanded or closed?  NO  YES

If yes, list case number(s): \_\_\_\_\_

**IX(b). RELATED CASES:** Have any cases been previously filed in **this court** that are related to the present case?  NO  YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply)
- A. Arise from the same or closely related transactions, happenings, or events; or
  - B. Call for determination of the same or substantially related or similar questions of law and fact; or
  - C. For other reasons would entail substantial duplication of labor if heard by different judges; or
  - D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY**

**(OR SELF-REPRESENTED LITIGANT):** \_\_\_\_\_

DATE: January 17, 2014

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 if not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

<b>Nature of Suit Code</b>	<b>Abbreviation</b>	<b>Substantive Statement of Cause of Action</b>
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers' insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))